

A.—SRI H. M. CHANNABASAPPA (Minister for Public Works and Electricity).—

(a) Yes.

(b) The question of sanction will be considered, if the project is found feasible.

PUBLIC SERVICE COMMISSION (CONDUCT OF BUSINESS AND ADDITIONAL FUNCTIONS) BILL, 1958.

Presentation of Report of the Select Committee.

Sri B. D. JATTI (Chief Minister).— I beg to present the report of the Select Committee on the Public Service Commission (Conduct of Business and Additional Functions) Bill, 1958.

REPORTS OF THE PUBLIC SERVICE COMMISSION FOR THE YEARS 1954 TO 1957.

(Scope of Discussion)

Mr. SPEAKER.—Before we take up the discussion of the reports on the working of the Public Service Commission for the years 1954 to 1957, I would like to indicate very briefly the permissible limits of such discussion. On a number of occasions in the past, the question has been raised as to how far members can refer to the Public Service Commission either in debate or during question hour. I hope what I will say will set at rest all doubts on this point.

I would refer at the outset to the provisions of the Constitution relating to the Union Public Service Commission. Relevant articles are the following: 316 which relates to the appointment of the Chairman and other members of the Commission by the Governor of the State; 317 which makes provision for suspension and removal of members; 318 which refers to regulation as to conditions of service of members and staff of the Commission; 320 sets out the functions of the Commission and the need to consult the

Commission on matters specified therein and for empowering the Governor to make regulations specifying the matters in which either generally or in any particular class of case or in any particular circumstances it shall not be necessary for a Public Service Commission to be consulted. Article 323 requires that the State Commission should present annually to the Governor a report of the work done and the Governor has on receipt of such report to cause a copy thereof to be laid before the Legislature together with a memorandum explaining as respects the cases, if any, where the advice of the Commission was not accepted.

I would particularly invite attention to article 317 under which a Member of the Public Service Commission can only be removed from office except in certain cases specified in article 317 (3) by an order of the President on the ground of misbehaviour after the Supreme Court has on enquiry reported that such Member ought to be removed on such ground.

We have provided in our rules, namely, 288 (v) that a member while speaking shall not reflect upon the conduct of persons in high authority unless the discussion is based on a substantive motion drawn in proper terms. The explanation to this sub-rule reads as follows: "the words 'persons in high authority' means persons whose conduct can only be discussed on a substantive motion drawn in proper terms under the Constitution or such other persons whose conduct in the opinion of the Speaker should be discussed on a substantive motion drawn up in terms to be approved by him."

A reading of these articles and our rules therefore makes it clear that criticism of suggestions or decisions of the Commission will not be relevant because the Commission is a constitutional authority.

In the Rajya Sabha when the consideration of the U. P. S. C. reports was before that House, it was clearly ruled on 22nd December 1954 as follows:—

"Any debate in Parliament may rightly include criticism of Government